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Hearing Date: January 19, 2022  
Hearing Time: 10:00 a.m. (EST)  
Objection Deadline: January 5, 2022

*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

**NOTICE OF MOTION FOR AN ORDER APPROVING THIRTEENTH ALLOCATION  
OF PROPERTY TO THE FUND OF CUSTOMER PROPERTY AND AUTHORIZING  
THIRTEENTH INTERIM DISTRIBUTION TO CUSTOMERS**

**PLEASE TAKE NOTICE** that Irving H. Picard, as trustee (“Trustee”) for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.* (“SIPA”), and the substantively consolidated Chapter 7 estate of Bernard L. Madoff (“Madoff”) (collectively, “Debtor”), will move (the “Motion”) before the Honorable Cecelia G. Morris, Chief Judge for the United States

Bankruptcy Court, Southern District of New York, at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004, on **January 19, 2022 at 10:00 a.m.**, or as soon thereafter as counsel may be heard, seeking entry of an order (1) approving the thirteenth allocation of property (“Thirteenth Allocation”) to the fund of customer property (“Customer Fund”); and (2) authorizing a thirteenth pro rata interim distribution (“Thirteenth Interim Distribution”) to customers whose claims for customer protection under SIPA have been allowed for amounts exceeding the SIPC statutory advance limits and not already satisfied by the interim pro rata interim distributions to date. A proposed order is attached hereto as **Exhibit A**.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Court’s directive, all hearings will be conducted remotely pending further Order of the Court. All parties who wish to participate in the Hearing must refer to Judge Morris’ guidelines for remote appearances and are required to make arrangements to appear via ZoomGov. For further details on ZoomGov, please call the Courtroom Deputy at (845) 451–6367. Further instructions regarding remote appearances via ZoomGov can be found on the Court’s website at <https://www.nysb.uscourts.gov/zoom-video-hearing-guide>. Pro se parties may participate telephonically in hearings free of charge.

**PLEASE TAKE FURTHER NOTICE** that written objections to the Motion must be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004 by no later than **4:00 p.m. on January 5, 2022** (with a courtesy copy delivered to the Chambers of the Honorable Cecelia G. Morris, Chief Judge for the United States Bankruptcy Court) and must be served upon (a) Baker & Hostetler LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: David J. Sheehan, Esq., and (b) the

Securities Investor Protection Corporation, 1667 K St. N.W., Suite 1000, Washington, DC 20006, Attn: Kevin H. Bell, Esq. Any objections must specifically state the interest that the objecting party has in these proceedings and the specific basis of any objection to the Motion.

Dated: December 10, 2021  
New York, New York

Respectfully submitted,

/s/ David J. Sheehan

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*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff Investment  
Securities LLC and the Chapter 7 Estate of  
Bernard L. Madoff*

# EXHIBIT A

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

**ORDER APPROVING THIRTEENTH ALLOCATION OF PROPERTY TO THE FUND  
OF CUSTOMER PROPERTY AND AUTHORIZING THIRTEENTH INTERIM  
DISTRIBUTION TO CUSTOMERS**

Upon consideration of the motion (the “Motion”)<sup>1</sup>, dated December 10, 2021, filed by Irving H. Picard, as trustee (“Trustee”) for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.* (“SIPA”), and the substantively consolidated Chapter 7 estate of Bernard L. Madoff (“Madoff”) (collectively, “Debtor”), for an Order Approving the Trustee’s Thirteenth Allocation of Property to the Fund of Customer Property and Authorizing Thirteenth Interim Distribution to Customers (ECF No. \_\_\_\_), and the Affidavit of Vineet Sehgal, executed December 10, 2021 (ECF No. \_\_\_\_), and it appearing that due and proper notice of the Motion and the relief requested therein having been given, and no other or further notice needing to be given; and a hearing having been held on the Motion on January 19, 2022; and the Court having reviewed the Motion,

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<sup>1</sup> All capitalized terms not defined herein shall have the meaning ascribed in the Motion.

responsive pleadings, the arguments of counsel and the record in this case; and the Court, as set forth in the transcript of the hearing on the Motion, having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein, and after due deliberation and sufficient cause appearing therefor, **IT IS HEREBY:**

**ORDERED**, that the relief requested in the Motion is hereby granted; and it is further

**ORDERED**, that any objections to the Motion are hereby overruled; and it is further

**ORDERED**, that all holders of current and future allowed customer claims for amounts still due to them are eligible to receive a distribution consistent with the relief granted herein.